

ANNALISA N. GRANT, ESQ.
Nevada Bar No. 11807
DAMIAN C. NOODY, ESQ.
Nevada Bar No. 14409
GRANT & ASSOCIATES
7455 Arroyo Crossing Parkway, Suite 220
Las Vegas, Nevada 89113
Phone: (702) 940-3529
Fax: (855) 429-3413
Damian.Noody@aig.com

Attorneys for Defendants
Walmart, Inc., Walmart Apollo, LLC and
High Liner Foods USA, Inc.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CANDACE JOHNSON,
Plaintiff,

vs.

WALMART, INC., a Foreign Corporation;
WALMART APOLLO, LLC., a Foreign
Corporation; HIGH LINER FOODS USA,
INC., a Foreign Corporation; DOE
MANUFACTURER; DOES 1-20 and ROE
BUSINESS ENTITIES 1-20, inclusive,

Defendants.

Case No.: 2:22-cv-00464- JCM-VCF

**STIPULATION AND ~~PROPOSED~~
ORDER TO EXTEND DISCOVERY
DEADLINES**

(SECOND REQUEST)

Plaintiff CANDACE JOHNSON (hereinafter “Plaintiff”) and Defendants WALMART INC., WALMART APOLLO, LLC, and HIGH LINER FOODS USA, INC. (hereinafter “DEFENDANTS”), by and through their respective counsel of record, do hereby stipulate to extend the remaining deadlines in the current scheduling order and discovery plan in this matter for a period of ninety (90) days for the reasons explained herein. Pursuant to Local Rule 6-1(b), the parties hereby aver that this is the second such discovery extension requested in this matter.

...

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DISCOVERY COMPLETED TO DATE

- The parties have conducted an FRCP 26(f) conference, have served their respective FRCP 26(a) disclosures and supplements thereto;
- The parties have filed all required documents pursuant to ECF 2 to date;
- Plaintiff has provided provider specific authorizations and DEFENDANTS had requested the corresponding medical records; and
- DEFENDANTS and Plaintiff have served written discovery and submitted timely responses.

DISCOVERY NEEDED TO BE COMPLETED

Discovery to be completed includes:

- Deposition of Plaintiff;
- Depositions of Defendant 30(b)(6) witness(es);
- Depositions of Plaintiff's treating physicians;
- Depositions of fact witnesses;
- Disclosure of expert by both parties; and
- Depositions of expert witnesses and rebuttal expert witnesses.

The parties aver, pursuant to Local Rule 6-1, that good cause exists for the requested extension. Good cause exists for requesting this extension less than 21 days before the expert deadline. DEFENDANTS require Plaintiff's testimony for DEFENDANTS' experts to prepare their disclosures.

The parties agree that, pending this Court's approval, extending the remaining discovery deadlines is appropriate, as the parties were only recently able to schedule Plaintiff's deposition for November 30, 2022. In light of the allegations surrounding this matter, DEFENDANTS' experts have requested to review Plaintiff's deposition testimony, however, the expert disclosure deadline of December 9, 2022, set forth in the operative plan, does not afford

sufficient time for said review. Additionally, the parties are engaging in settlement discussions. As such, the parties have agreed to a ninety (90) day discovery extension to ensure that the remaining discovery is conducted.

The parties have acted in good faith to request this extension and have no intent, nor reason, to delay the resolution of this matter.

~~PROPOSED~~ **NEW DISCOVERY DEADLINES**

Expert Disclosure Deadline:

Currently: December 9, 2022

Proposed: **March 9, 2023**

Rebuttal Expert Disclosure Deadline:

Currently: January 9, 2023

Proposed: **April 10, 2023**

Discovery Cut-Off Date:

Currently: February 8, 2023

Proposed: **May 9, 2023**

Dispositive Motion Deadline:

Currently: March 10, 2023

Proposed: **June 8, 2023**

~~Proposed~~ **Joint Pre-Trial Order Deadline:**

Currently: April 7, 2023

Proposed: **July 6, 2023**

If this extension is granted, all anticipated additional discovery should be concluded within the stipulated extended deadline. The parties aver that this request for extension of discovery deadlines is made by the parties in good faith and not for the purpose of delay.

...

...

1 DATED this 29th day of November, 2022

DATED this 29th day of November, 2022

2 **HICKS & BRASIER, PLLC**

GRANT & ASSOCIATES

3
4 */s/ Charles S. Jackson*

/s/ Damian C. Noody

5 CHARLES S. JACKSON, ESQ.
6 Nevada Bar No. 13158
7 2630 S. Jones Blvd.
8 Las Vegas, Nevada 89146
9 *Attorneys for Plaintiff*

DAMIAN C. NOODY, ESQ.
Nevada Bar No. 14409
7455 Arroyo Crossing Pkwy., Suite 220
Las Vegas, Nevada 89113
Attorneys for Defendants
Walmart, Inc., Walmart Apollo, LLC and
High Liner Foods USA, Inc.

10
11 IT IS SO ORDERED.

12 

13 Cam Ferenbach
14 United States Magistrate Judge

15 DATED 11-29-2022
16

GRANT & ASSOCIATES

7455 Arroyo Crossing Parkway, Suite 220
Las Vegas, Nevada 89113
Telephone No. (702) 940-3529
Facsimile No. (855) 429-3413

From: [Charles Jackson](#)
To: [Girard-Rubio, Denisse A.](#)
Subject: [EXTERNAL] Re: Johnson v. Walmart, Inc., et al.; REVISED Stipulation and [Proposed] Order to Extend Discovery Deadlines (Second Request); Our file No. NVLV00271
Date: Tuesday, November 29, 2022 1:49:09 PM

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Thank you,

Charlie

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<Denisse.GirardRubio@aig.com> wrote:

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Mr. Jackson,

Please see the attached revised draft *Stipulation and [Proposed] Order to Extend Discovery Deadlines (Second Request)* for your review. If it meets with your approval, please advise if it is okay to add your e-signature.

Thank you.

Sincerely,

Denisse A. Girard-Rubio

Denisse A. Girard-Rubio

Legal Secretary – Sr., Grant & Associates

Staff Counsel

American International Group, Inc. (AIG)

7455 Arroyo Crossing Pkwy, Suite 220, Las Vegas, NV 89113

T (+1) 702.940.3557

denisse.girardrubio@aig.com | www.aig.com

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From: Charles Jackson <cjackson@lvattorneys.com>

Sent: Tuesday, November 29, 2022 12:07 PM

To: Girard-Rubio, Denisse A. <Denisse.GirardRubio@aig.com>

Cc: Mary Eagar <mary@lvattorneys.com>; Noody, Damian C <Damian.Noody@aig.com>; Grant, Annalisa N <Annalisa.Grant@aig.com>; Smith, Diana <Diana.Smith@aig.com>; Jory, Shannon <Shannon.Jory@aig.com>

Subject: [EXTERNAL] Re: Johnson v. Walmart, Inc., et al.; Stipulation and [Proposed] Order to Extend Discovery Deadlines (Second Request); Our file No. NVLV00271

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Please include something saying that good cause exists for requesting the extension less than 21 days before the expert deadline. It can use the same language saying your expert requires the Plaintiff's testimony. But I think the judge could reject it out of hand if it doesn't have that.

Thanks!

Charlie

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On Nov 29, 2022, at 11:05 AM, Girard-Rubio, Denisse A.
<Denisse.GirardRubio@aig.com> wrote:

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Good morning,

Attached please find the draft *Stipulation and [Proposed] Order to Extend Discovery Deadlines (Second Request)* for your review. If it meets with your approval, please advise if it is okay to add your e-signature.

Thank you.

Sincerely,

Denisse A. Girard-Rubio

Denisse A. Girard-Rubio

Legal Secretary – Sr., Grant & Associates

Staff Counsel

American International Group, Inc. (AIG)

7455 Arroyo Crossing Pkwy, Suite 220, Las Vegas, NV 89113

T (+1) 702.940.3557

denisse.girardrubio@aig.com | www.aig.com

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